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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

BELOUSOV, ANDREY

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

03/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This action is in response to the amendment filed on December 7, 2007. Claims 1-5 and 7 are pending and have been considered below. Claim 6 has been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Khosla et al. (6,202,061.)

Claim 1, 3, 5: Khosla discloses a system for enabling a user to manipulate a user interface, the system comprising:

- a. receiving means conceived to receive a selection (Fig. 9: 901: criteria; e.g. select all images with “roses”) from the user (Fig. 2: 519, 517);
- b. generating means (Fig. 2: 501) conceived to generate a generated-collection (Fig. 12E: 803) that comprises the at least one item (“roses” thumbnail: Fig. 12E: 1251) that matches the selection (criteria: Fig. 9: 901); and
- c. presentation means (Fig. 2: 511, 513) conceived to present to the user, through the user interface (Fig. 12E: 1250), an overview (thumbnails: Fig. 12E:305) of the

generated-collection and at least one collection (user created album after the selection: Fig. 9: 907-911; Fig. 12E: 309) that matches the selection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khosla.

Claim 2, 4, 7: Khosla discloses a system for enabling a user to manipulate a user interface according to claim 1,

- a. wherein a selection-criterion (search parameters/criteria: Fig. 9: 901) defines the selection, the at least one item is labeled by an item-label (e.g. "Roses": Fig. 8A: 810a), the at least one collection is labeled by a collection-label (Fig. 12E: 805); and
- b. the generated-collection comprises the at least one item of which the item-label (e.g. "roses": Fig. 8A: 810a) matches the selection-criterion (Fig. 9: 901: criteria; e.g. select all images with "roses"); and
- c. the overview comprises the generated-collection (Fig. 12E: 305)

However, Khosla does not explicitly disclose that the at least one collection of which the collection-label matches the selection-criterion.

The Examiner takes Official Notice that it is old and well known in the computing arts to allow custom naming of collections, such as an album. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to name the album, and it would have been a mere design choice to name it, for example, "roses" or other search corresponding title such that it would match the selection-criterion. One would have been motivated to name a collection to correspond to a selection-criterion for subsequent retrieval without having to look through all collections.

Response to Arguments

4. Applicant's arguments filed December 7, 2007 have been fully considered but they are not persuasive. Applicant's argument that Khosla does not disclose, teach, or suggest "presentation means conceived to present to the user, through the user interface, an overview of the generated-collection and at least one collection that matches the selection," as recited in claim 1 and similarly recited in claim 3, has been fully considered but is not persuasive. The limitations of claim 1 as amended are disclosed in Khosla as follows:

presentation means (Fig. 2: 511, 513) conceived to present to the user, through the user interface (Fig. 12E: 1250), an overview (thumbnails: Fig. 12E:305) of the

generated-collection and at least one collection (user created album after the selection: Fig. 9: 907-911; Fig. 12E: 309) that matches the selection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

March 5, 2008

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174